



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

CATHERINE GEMRICH
ORUM & ROTH
53 W. JACKSON BLVD
CHICAGO IL 60604

COPY MAILED

AUG 22 2005

OFFICE OF PETITIONS

In re Application of
ADAMS et al.
Application No. 10/622,559
Filed: July 18, 2003
Attorney Docket No. 13550

DECISION
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 18, 2005, to revive the above-identified application.

The petition is **GRANTED**.


The above-identified application became abandoned for failure to reply in a timely manner to the non-final office action mailed November 24, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on February 25, 2005.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment; (2) the petition fee of \$1500; and (3) the required statement of unintentional delay. Accordingly, the reply to the non-final action of November 24, 2004 is accepted as having been unintentionally delayed.

Since the above-identified application is not a utility or plant application filed before June 8, 1995, a terminal disclaimer pursuant under 37 CFR 1.137(d) dedicating to the public a terminal part of the term of any patent granted on the application or any patent granted on any continuing application that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the application is not required with the Petition Pursuant to 37 CFR 1.137(b) to Revive Unintentionally Abandoned Application. In addition, the disclaimer fee of \$130 (\$65 if small entity) is not required. A refund of the \$130 fee has been credited to deposit account number 04-2219 as authorized by the above petition.

Telephone inquiries concerning this decision should be directed to Denise Pothier at (571) 272-4787.

The application matter is being forwarded to Technology Center Art Unit 1772.


Frances Hicks
Petitions Examiner
Office of Petitions